

# **UTAH APPRAISER LICENSING AND CERTIFICATION BOARD**

Heber M. Wells Building

Room 210

9:00 a.m.

October 24, 2018

## **MINUTES**

### **DIVISION STAFF PRESENT:**

Jonathan Stewart, Division Director  
Mark Fagergren, Education and Licensing Director  
Kadee Wright, Chief Investigator  
Justin Barney, Hearing Officer  
Chad Tengler, Real Estate Analyst  
Judith Jensen, Assistant Attorney General  
Stephen Gillies, Assistant Attorney General  
Amber Nielsen, Board Secretary  
Desha Pages, Division Staff  
Faruk Halilovic, Division Staff

### **BOARD MEMBERS PRESENT:**

John Ulibarri, Chair  
Jeffrey T. Morley, Vice Chair  
Jim Bringhurst, Board Member  
Richard Sloan, Board Member\*  
Keven Ewell, Board Member

\*Arrived at 9:02 a.m.

### **PUBLIC MEMBERS PRESENT:**

|                   |                |
|-------------------|----------------|
| Tamara Melling    | Preston Taylor |
| Brandon Barnett   | Mark Herrera   |
| Amanda Mendenhall | Aaron Miles    |
| Denny Lydel       | Kevin Miles    |

The October 24, 2018 meeting of the Appraiser Licensing and Certification Board began at 9:03 a.m. with Chair Ulibarri conducting. Board Member Sloan was absent at the beginning of the meeting.

## **PLANNING AND ADMINISTRATIVE MATTERS**

### **Approval of Minutes –**

A motion was made and seconded to approve the September 26, 2018 minutes as written. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Ewell, yes. The motion passes.

Public Comment Period – There was no public comment made.

## **DIVISION REPORTS**

### **DIRECTOR'S REPORT – Jonathan Stewart**

Director Stewart introduced Stephen Gillies as the new Division representative from the Attorney General's Office. He will be replacing Tiffany Brown and will be attending meetings and representing the Division in hearings.

Director Stewart reported Mr. Barney will be adding some proposed legislature to the draft bill and that will be sent to the Board.

### **ENFORCEMENT REPORT – Kadee Wright**

Ms. Wright reported in September the Division received 4 complaints; opened 5 new cases; closed 3 cases; leaving 22 appraisal cases open with the Division. There are a total of 2 cases now with the AG's office.

Ms. Wright had no stipulations for consideration to present.

### **EDUCATION AND LICENSING REPORT – Mark Fagergren**

Mr. Fagergren presented the following stipulation for consideration.

#### **Stipulation for Review:**

John L. Green

Mr. Fagergren reported he had received a letter from an experience reviewer and there was some discussion at a conference about USPAP changes for centrally assess appraisers. The experience reviewer expressed concern about experience reviews where comparable sales and adjustments were absent. The Board discussed this issue and asked to have an update of the review item checklist added to an upcoming meeting. Denny Lydel from the Property Tax Division expressed concerns about the number of centrally assessed appraisers who become licensed or certified and their need for broader experience. Vice Chair Morley asked how many centrally assessed experience reviewers are currently on the panel. Mr. Fagergren said there were approximately four and some of the reviewers have expressed concern.

Mr. Fagergren presented lists of individuals who were approved for licensing by the Division since the last meeting.

Mr. Fagergren reported he and Mr. Barney attended the AARO Conference. He reported on some of the discussions from the conference including discussions of trends and possible changes in the industry and qualifications. Mr. Barney also reported on his discussions from the conference. There was some discussion on the corrective

education courses. Ms. Wright mentioned she would bring a copy of the outline of the corrective courses.

### **BOARD AND INDUSTRY ISSUES**

Mr. Barney reported the AMC Rule Amendment finished the public comment period and received three comments which were given to the Board prior to the meeting. He presented the public comments and noted this was below the number of comments which would require a rule hearing. The Board discussed the comments. A motion was made and seconded to approve the rule as written. A friendly amendment was made to make the effective date of the rule November 5, 2018. The amended motion was seconded. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

A brief recess was held from 9:54 a.m. to 10:02 a.m.

The meeting continued at 10:02 a.m. with Chair Ulibarri conducting for the Experience Review Hearing in the Matter of the Application of Brandon Barnett to sit for the Certified Residential Appraiser Examination.

#### **INFORMAL HEARING:**

10:02 a.m.                      Brandon Barnett, Applicant

The hearing for Mr. Barnett concluded at 10:29 a.m.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

### **CLOSED TO PUBLIC**

An Executive Session was held from approximately 10:29 a.m. to 10:34 a.m.

### **OPEN TO PUBLIC**

### **RESULTS OF EXECUTIVE SESSION**

John L. Green – Approved with Division Concurrence

Mr. Barnett will be notified of the Board's decision.

A motion was made and seconded to adjourn the meeting. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes. The meeting adjourned at approximately 10:36 a.m.